

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the B6-6 Restricted Central Business District symbols and indications as shown on Map No. 3-E in area bounded by:

East Lake Shore Drive; a line 517.23 feet east of North Michigan Avenue; a line 108.75 feet south of East Lake Shore Drive; a line 533.32 feet east of North Michigan Avenue; East Walton Street; and a line 400.18 feet east of North Michigan Avenue,

to those of a Residential Business Planned Development which is hereby established in the area described above subject to such use and bulk regulations as are set forth in the Plan of Development attached hereto and to no others.

SECTION 2. This ordinance shall be in force and effect from and after its passage and due publication.

Plan of Development attached to this ordinance reads as follows:

Residential Business Planned Development R.P.D. 530

Plan Of Development Statements.

1. The area delineated herein as a Residential Planned Development (the "Planned Development") consists of approximately 27,200 square feet (.62 acres) of property which is depicted on the attached Planned Development Boundary and Property Line Map (the "Property") and is owned or controlled by the Applicant, Mayfair Chicago Associates.
2. The Applicant shall obtain all necessary official reviews, approvals or permits.
3. The requirements, obligations and conditions contained within this Planned Development shall be binding upon the Applicant, its successors and assigns (including any condominium association which is formed) and, if different than the Applicant, the legal title

holders and any ground lessors. All rights granted hereunder to the Applicant shall inure to the benefit of the Applicant's successors and assigns (including any condominium association which is formed) and, if different than the Applicant, the legal title holder and any ground lessors. Furthermore, pursuant to the requirements of Section 11.11-1 of the Chicago Zoning Ordinance, the Property, at the time applications for amendments, modifications or changes (administrative, legislative or otherwise) to this Planned Development are made, shall be under single ownership or under single designated control. Single designated control for purposes of this paragraph shall mean that any application to the City for any amendment to this Planned Development or any other modification or change thereto (administrative, legislative or otherwise) shall be made or authorized by the Applicant or any condominium association which is formed.

Nothing herein shall be construed to mean that any individual owner, or any ground lessors, of the Property or any portion thereof is relieved of obligations imposed hereunder or rights granted herein or is not subject to City action pursuant to this Planned Development. In addition, nothing herein shall prohibit or in any way restrict the alienation, sale or any other transfer of all or any portion of the Property or any rights, interests or obligations therein. Upon any alienation, sale or any other transfer of all or any portion of the Property or the rights therein, except any assignment or transfer of rights pursuant to a mortgage or otherwise as collateral for any indebtedness, and solely with respect to the portion of the Property so transferred, the term Applicant shall be deemed amended to apply to the transferee thereof (and its beneficiaries if such transferee is a land trust) and the seller or transferor thereof (and its beneficiaries if such seller or transferor is a land trust) shall thereafter be released from any and all obligations or liability hereunder.

4. This Plan of Development consists of seventeen (17) statements; an Existing Zoning Map; a Planned Development Boundary and Property Line Map; a Generalized Land Use Map; an Existing Land Use Map; a Table of Use and Bulk Regulations and Related Controls; a Site Plan depicting any proposed landscaping along adjacent public rights-of-way, prepared by Booth/Hansen & Associates, dated January 21, 1993 (the "Site Plan"); elevations of the proposed improvements consisting of four sheets prepared by Booth/Hansen & Associates, dated January 21, 1993 (the "Elevations"); and a drawing depicting the at-grade and above-grade setbacks of the proposed improvements prepared by Booth/Hansen & Associates, dated January 21, 1993 (the "Massing Diagram"). Reduced copies of the Site Plan, the Elevations and the Massing Diagram are attached hereto and full-sized copies of these items are on file with the Department of Planning and Development. These and no other

zoning controls shall apply to the Property. This Planned Development conforms to the intent and purpose of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, and all requirements thereof, and satisfies the established criteria for approval as a planned development.

5. The following uses are permitted in the Planned Development subject to the restrictions in Statement 13 and in the Table of Use and Bulk Regulations and Related Controls:

Multi-family dwellings, office and commercial uses, accessory and non-accessory parking and accessory uses, including broadcast and telecommunications structures, equipment and installations including parabolic transmitting and receiving antennae which may exceed eight feet in diameter.

The use of property for a hotel shall be permitted only until commencement of construction of the development authorized under this Planned Development.

6. Business and business identification signs shall be permitted within the Planned Development subject to the review and approval of the Department of Planning and Development. Temporary signs such as construction and marketing signs also shall be permitted subject to the review and approval of the Department of Planning and Development. No advertising signs shall be permitted within the Planned Development.
7. Any dedication or vacation of streets, alleys or easements or any adjustment of the right-of-way shall require a separate submittal on behalf of the Applicant and approval by the City Council.
8. Off-street parking and loading facilities shall be provided in compliance with this Planned Development subject to the review of the Department of Transportation and the approval of the Department of Planning and Development. A minimum of two percent of all parking spaces provided within the Planned Development shall be designated and designed for parking for the handicapped.
9. Any service drive or other ingress or egress shall be adequately designed and paved, in accordance with the regulations of the Department of Transportation in effect at the time of construction and in compliance with the Municipal Code of the City of Chicago, to provide ingress and egress for motor vehicles, including emergency vehicles. There shall be no parking within such paved areas. Ingress and egress shall be subject to the review and approval of the

Bureau of Traffic Engineering and Operations and of the Commissioner of Planning and Development.

10. In addition to the maximum heights of the buildings and any appurtenance attached thereto prescribed in this Planned Development, the height of the improvements and any appurtenance attached thereto also shall be subject to:
 - (A) Height limitations as certified and approved by the Federal Aviation Administration; and
 - (B) Airport Zoning Regulations as established by the Department of Planning, Department of Aviation and Department of Law and approved by the City Council.
11. This Planned Development shall be subject to the "Rules, Regulations and Procedures in Relation to Planned Development Amendments" as promulgated by the Commissioner of the Department of Planning and Development and in effect on the date hereof.
12. For purposes of Floor Area Ratio (F.A.R.) calculations, the definitions in the Chicago Zoning Ordinance shall apply; provided, however, that in addition to the other exclusions from floor area for purposes of determining F.A.R. permitted by the Chicago Zoning Ordinance, all floor area devoted to mechanical equipment in excess of 5,000 square feet in a single location, regardless of placement in the building, shall be excluded.
13. The improvements on the Property, including the on-site exterior landscaping and the landscaping along the adjacent rights-of-way and all entrances and exits to and from the parking and loading areas, shall be designed, constructed and maintained in substantial conformance with the Site Plan, the Elevations and the Massing Diagram. In addition, the improvements on the Property shall be subject to the following regulations:
 - A) Landscaping.

Parkway trees shall be installed and maintained in accordance with the parkway tree planting provisions of the Chicago Zoning Ordinance.

B) **Modification And Maintenance Of Facade.**

The East Lake Shore Drive facade of the existing Mayfair Hotel building which has been designated a Chicago landmark shall be modified and maintained in accordance with approvals received from the Commission on Chicago Landmarks.

C) **Public Improvements.**

Upon the issuance of a certificate of occupancy for the development authorized under this Planned Development, the Applicant shall file plans for the rehabilitation and improvement of the pedestrian passageway to Oak Street Beach located immediately east of the access ramps to Lake Shore Drive from North Michigan Avenue and lying below Lake Shore Drive and for the installation of decorative street lights along the south side of East Lake Shore Drive between the east line of North Michigan Avenue and the west line of Lake Shore Drive (the "Public Improvements"). The Public Improvements shall be undertaken by the Applicant in accordance with plans, specifications and cost estimates approved by the Department of Planning and Development. Provided, however, that: 1) the City of Chicago may, at its option, undertake such improvements; and 2) in no event shall the Applicant be required to pay for any Public Improvements, the cumulative cost of which exceeds \$125,000. If the City of Chicago notifies the Applicant in writing that it will undertake the construction of the Public Improvements, then, upon the issuance of a Certificate of Occupancy for the development authorized under this Planned Development, the Applicant shall deposit in an account designated by the Department of Planning and Development the maximum sum which it is required to expend on the Public Improvements under this provision.

D) **Rosenbaum Garden.**

In the event that it is alleged by either the Chicago Park District or its permittee, the Paul and Gabriela Rosenbaum Foundation, that construction of the development authorized under this Planned Development (the "Development") has caused damage to the plantings in the garden located immediately north of East Lake Shore Drive and east of North Michigan Avenue (the "Rosenbaum Garden"), then the issue shall be submitted to a three person arbitration

panel. One member of the arbitration panel shall be selected by the entity making the allegation (i.e., either the Chicago Park District or the Paul and Gabriela Rosenbaum Foundation). A second member of the arbitration panel shall be selected by the Applicant. The third member of the arbitration panel shall be selected by the other two members of the arbitration panel. The decisions of the arbitration panel shall be binding on all parties thereto and on the City of Chicago and the Chicago Park District. The costs of having the matter submitted to arbitration shall be borne equally by the parties thereto. If the arbitration panel decides that the Development has caused damage to the plantings in the Rosenbaum Garden, then the Applicant shall pay for the cost of making modifications to the garden that the arbitration panel determines would mitigate future damage to the plantings therein. This provision shall apply only to damages to the plantings in the Rosenbaum Garden that are alleged to have been caused by the Development after its construction and before the fifth anniversary of the issuance of a Certificate of Occupancy therefor. In addition, the Applicant shall create a video record of the Rosenbaum Garden in its current condition by recording its conditions during one day during each season for the year following the effective date of this Planned Development.

E) Parking.

The parking required under this Planned Development may be operated under a valet service arrangement, as a self-park facility or a combination thereof.

F) Loading.

Deliveries to the Property which require the use of the loading berths by vehicles in excess of 30 feet in length shall be scheduled so that no such vehicles arrive at the Property between the hours of 4:00 P.M. and 7:00 P.M..

14. The terms, conditions and exhibits of this Planned Development may be modified administratively by the Commissioner of the Department of Planning and Development upon the request of the Applicant and after a determination by the Commissioner that such a modification is minor, appropriate and consistent with the nature of the development of the Property contemplated herein and will not result in increasing the maximum floor area ratio for the total net site area or the maximum number of dwelling units for the total net

site area established in this Planned Development. Any such modification shall be deemed a minor change in the Planned Development as contemplated by Section 11.11-3(c) of the Chicago Zoning Ordinance. Notwithstanding the provisions of subclauses (4) and (5) of Section 11.11-3(c) of the Chicago Zoning Ordinance, such minor changes may include a reduction in the minimum required distance between structures, a reduction in periphery setbacks or an increase in the maximum percent of land coverage.

15. The Applicant acknowledges that it is in the public interest to design, construct and maintain all buildings in a manner which promotes and maximizes the conservation of energy resources. The Applicant shall use best and reasonable efforts to design, construct and maintain all buildings located within this Planned Development in an energy efficient manner, generally consistent with the most current energy efficiency standards published by the American Society of Heating, Refrigeration and Air-Conditioning Engineers ("A.S.H.R.A.E.") and the Illuminating Engineering Society ("I.E.S.").
16. If any court of competent jurisdiction shall adjudge any provision of this Planned Development to be invalid, such judgment shall not affect any other provision of this Planned Development not specifically included in said judgment.
17. Unless substantial construction of the improvements contemplated by this Planned Development (which may be defined to include commencement of only caisson work) has commenced by the later of: 1) the second anniversary of the effective date hereof; or 2) the second anniversary of the date on which a court of competent jurisdiction has issued a final decision on any litigation which is filed on or before the second anniversary of the effective date of this Planned Development and the subject matter of which are the approvals required for the construction of the improvements contemplated herein, and unless completion of those improvements is diligently pursued, then this Planned Development shall expire. Provided, however, that the time periods for commencement of substantial construction may be extended by the Commissioner of the Department of Planning and Development for a maximum of three additional consecutive one year periods upon the receipt by the Commissioner prior to the expiration of the initial two-year period or any extensions thereof of the Applicant's written request for an extension of time. The Commissioner shall grant such requested extensions if the written request therefor contains a statement, sworn under oath, specifically stating: 1) that the reasons the commencement of substantial construction as aforesaid is delayed are reasons or circumstances beyond the reasonable control of the

Applicant and its affiliates; 2) the specific cause or causes of such delay; and 3) that the Applicant and its affiliates and agents have not taken any action or failed to take any action which could reasonably have resulted in such delay. If this Planned Development expires under the provisions of this Statement, then the zoning of the Property shall automatically revert to a B6-6 Restricted Central Business District.

[Existing Zoning Map, Boundary and Property Line Map, Generalized Land Use Map, Existing Land Use Map, Site Plan, Elevations and Massing Diagram attached to this Plan of Development printed on pages 30895 through 30904 of this Journal.]

Use and Bulk Regulations and Data attached to this Plan of Development reads as follows:

Residential-Business Planned Development.

Plan Of Development

Use And Bulk Regulations And Data.

General Description of Land Use:

See Statement No. 5.

Maximum Permitted F.A.R.:

20.10.

Gross Site Area = Net Site Area + Area Remaining in Public Right-of-Way:

35,453.96 square feet = 27,200 square feet + 8,253.96 square feet.

Setbacks from Property Line:

In general conformance with the Site Plan and the Plan of Development Statements.

Maximum Percentage of Site Coverage:

In general conformance with the Site Plan.

Maximum Number of Dwelling Units:

130 units.

Maximum Number of Hotel Rooms:

201 keys.

Maximum Floor Area Devoted to:

Ground floor commercial uses -- 8,000 square feet.

Office uses -- 12,000 square feet.

Health club facilities -- 12,000 square feet.

Maximum Building Height:

599 feet (excluding a mechanical penthouse which does not exceed 27 feet in height and one-third of the roof area).

Minimum Number of Off-Street Parking:

260 spaces.

Maximum Number of Off-Street Parking:

278 spaces.

Maximum Number of Non-Accessory Off-Street Parking:

148 spaces.

Minimum Number of Off-Street Loading Berths:

2 berths.

**CHICAGO ZONING ORDINANCE AMENDED TO
RECLASSIFY PARTICULAR AREAS.**

On motion of Alderman Burke, the City Council took up for consideration the report of the Committee on Zoning, deferred and published in the Journal of the Proceedings of March 8, 1993, pages 29603 through 29605 and 29625 through 29630, recommending that the City Council pass various proposed ordinances amending the Chicago Zoning Ordinance by reclassifying particular areas.

On motion of Alderman Stone, the said proposed ordinances were *Passed* by yeas and nays as follows:

Yeas -- Aldermen Magola, Haithcock, Tillman, Preckwinkle, Bloom, Steele, Beavers, Dixon, Shaw, Buchanan, Huels, Fary, Madrzyk, Burke, Jones, Coleman, Streeter, Murphy, Troutman, Evans, Munoz, Laski, Medrano, Ocasio, Watson, E. Smith, Burrell, Bialezak, Suarez, Mell, Austin, Wojcik, Giles, Allen, Laurino, O'Connor, Natarus, Eisendrath, Levar, Shiller, Schulter, M. Smith, Moore, Stone -- 44.

Nays -- None.

Alderman Natarus moved to reconsider the foregoing vote. The motion was lost.

The following are said ordinances as passed (the italic heading in each case not being a part of the ordinance):

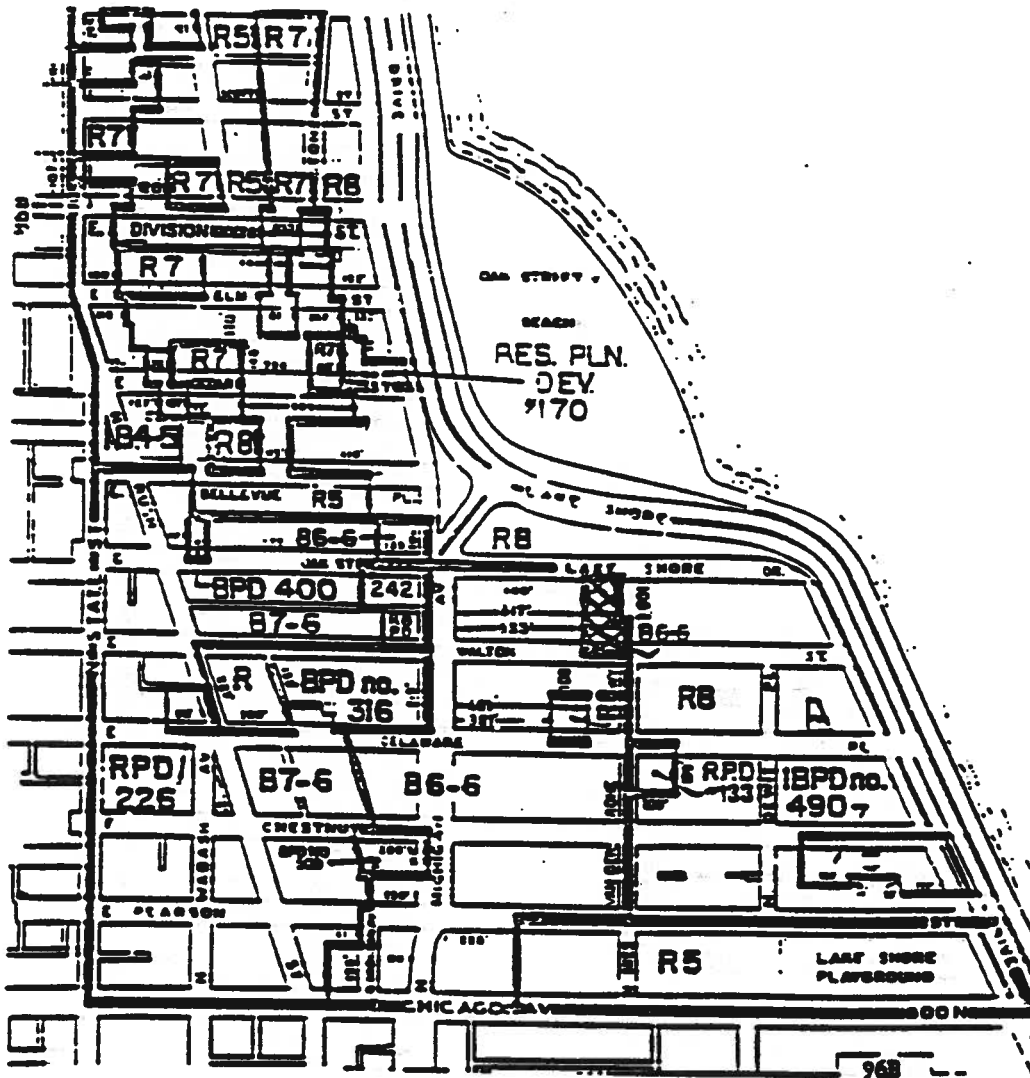
Reclassification Of Area Shown On Map Number 1-L.

Be It Ordained by the City Council of the City of Chicago:

SECTION 1. That the Chicago Zoning Ordinance be amended by changing all the C1-2 Restricted Commercial District symbols and indications as shown on Map No. 1-L in the area bounded by:

(Continued on page 30905)

Existing Zoning Map.



LEGEND



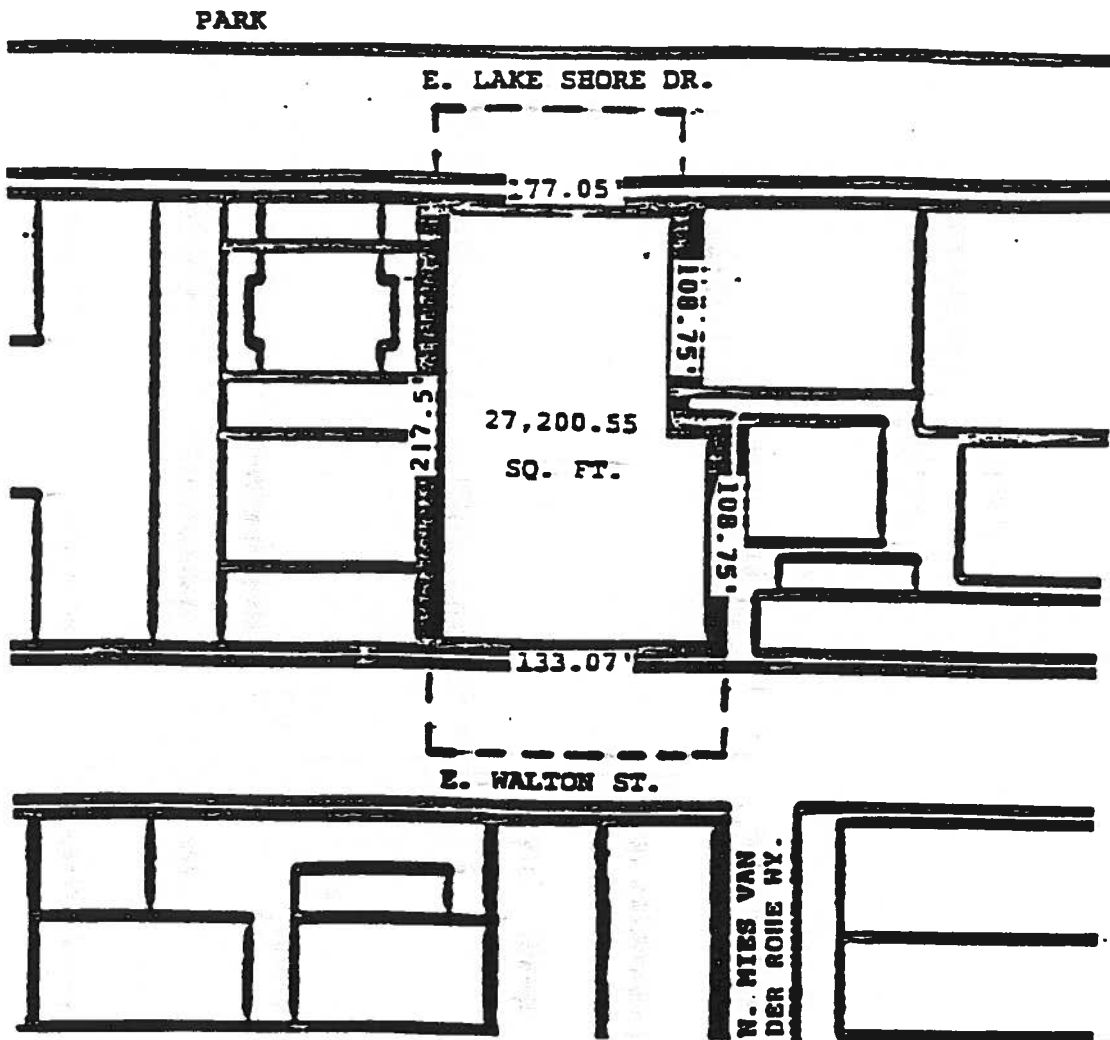
PLANNED DEVELOPMENT



ZONING BOUNDARIES

Applicant: Mayfair Chicago Associates
 Address: 180 North LaSalle Street
 Chicago, Illinois 60601
 Date: July 7, 1992

Boundary And Property Line Map.



LEGEND



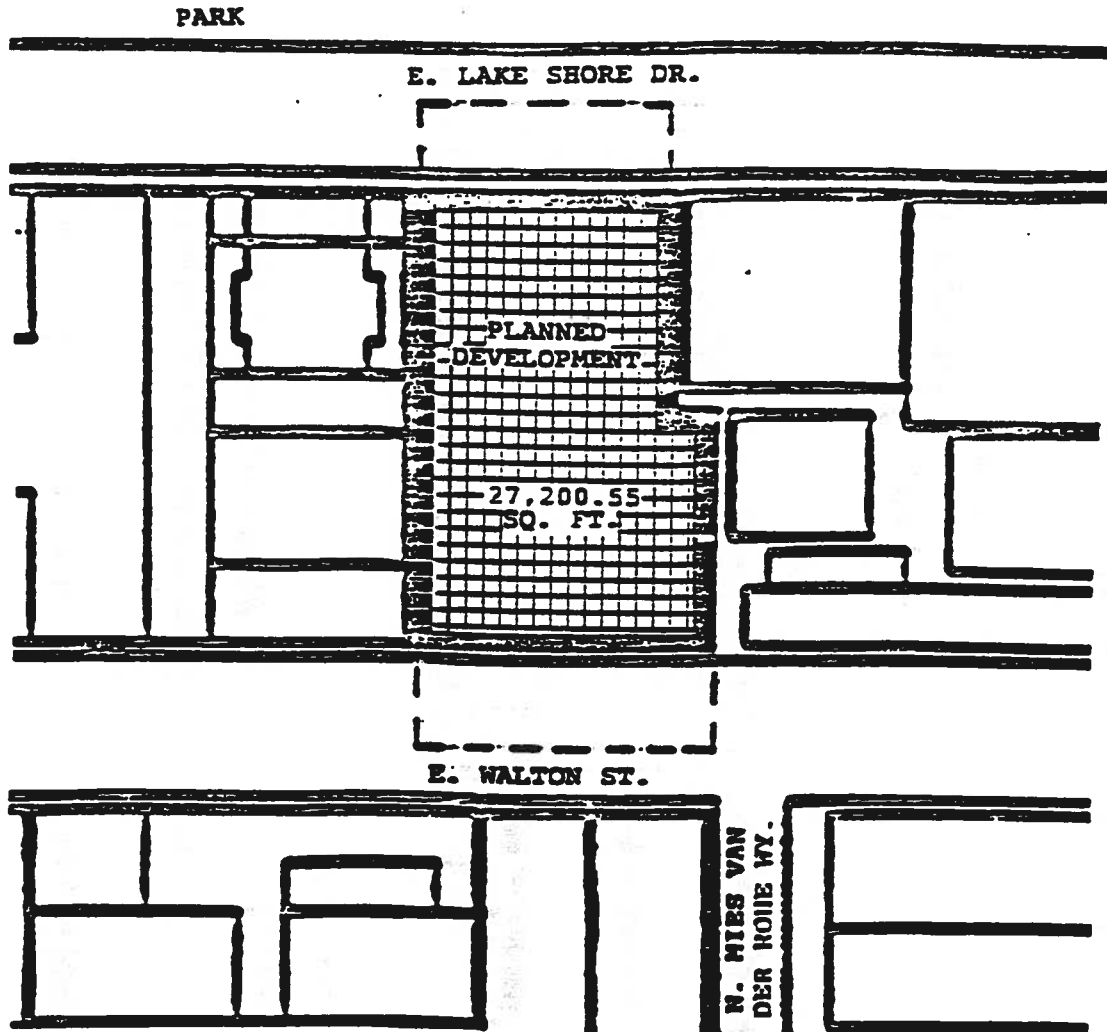
PROPERTY LINE






PLANNED DEVELOPMENT BOUNDARY

Applicant: Mayfair Chicago Associates
 Address: 180 North LaSalle Street
 Chicago, Illinois 60601
 Date: July 7, 1992

Generalized Land Use Map.

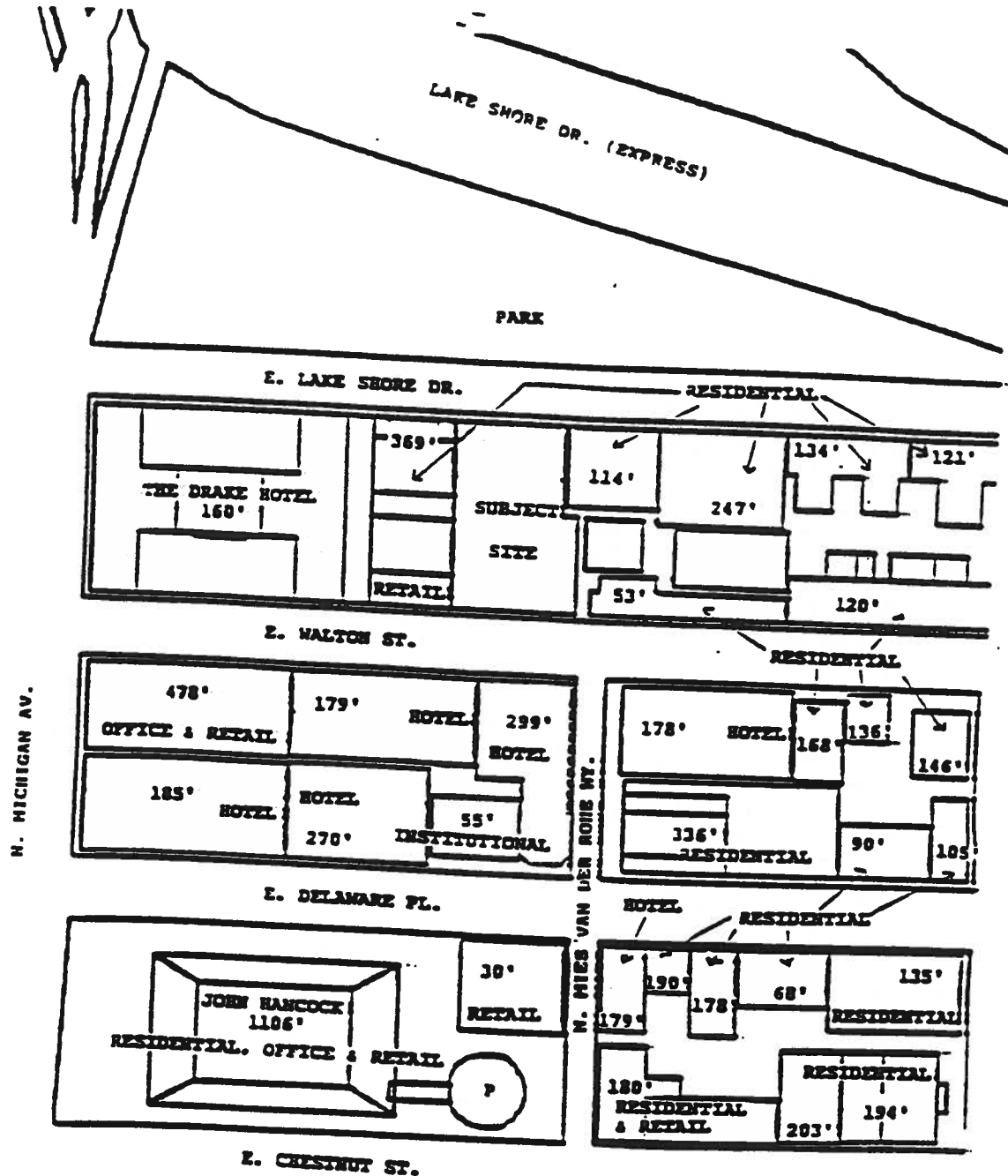


LEGEND

-  PROPERTY LINE
-  PLANNED DEVELOPMENT BOUNDARY
-  ANY USE STATED IN STATEMENT #5

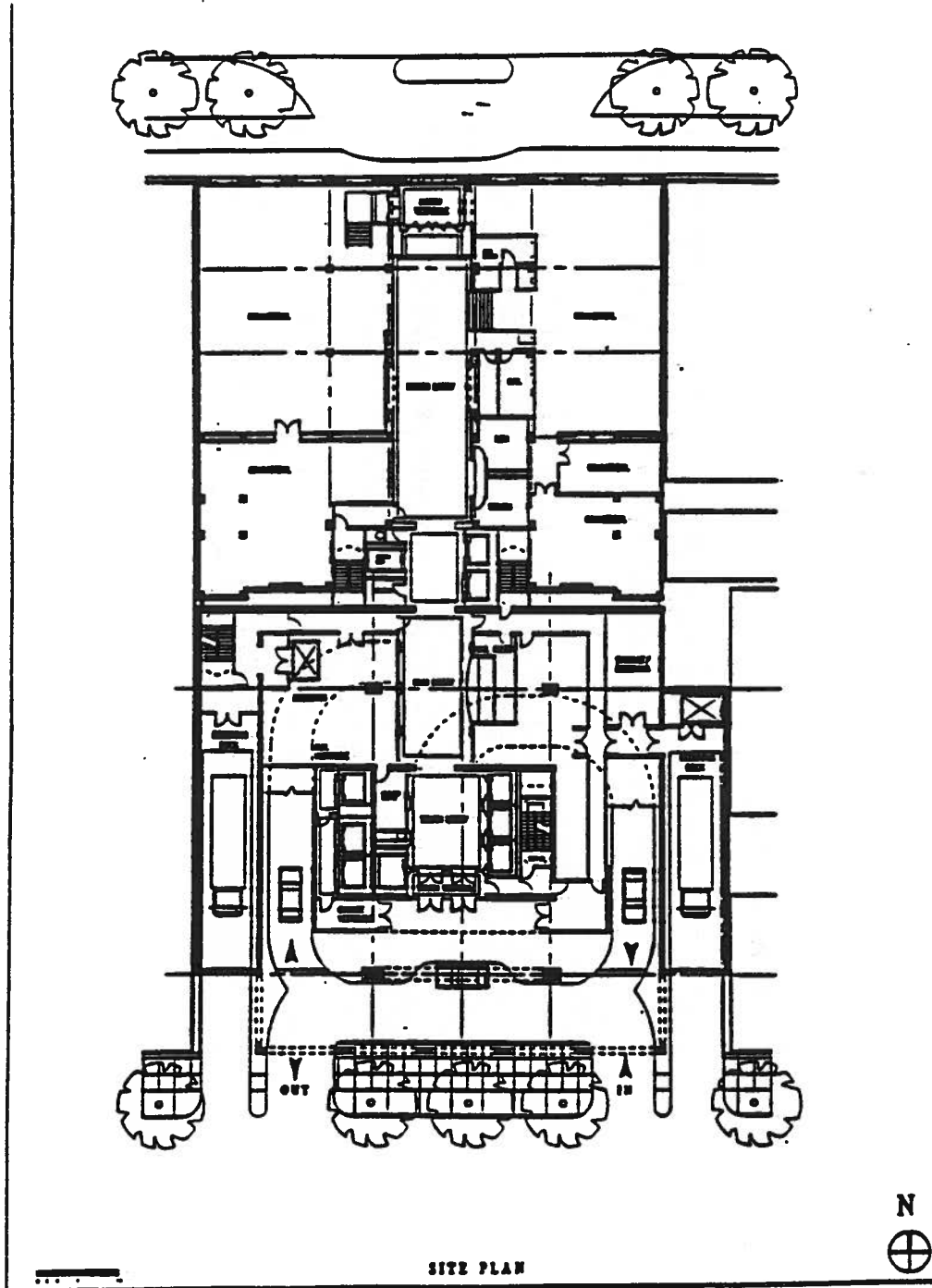
Applicant: Mayfair Chicago Associates
 Address: 180 North LaSalle Street
 Chicago, Illinois 60601
 Date: July 7, 1992

Existing Land Use Map.



Applicant: Mayfair Chicago Associates
 Address: 180 North LaSalle Street
 Chicago, Illinois 60601
 Date: July 7, 1992

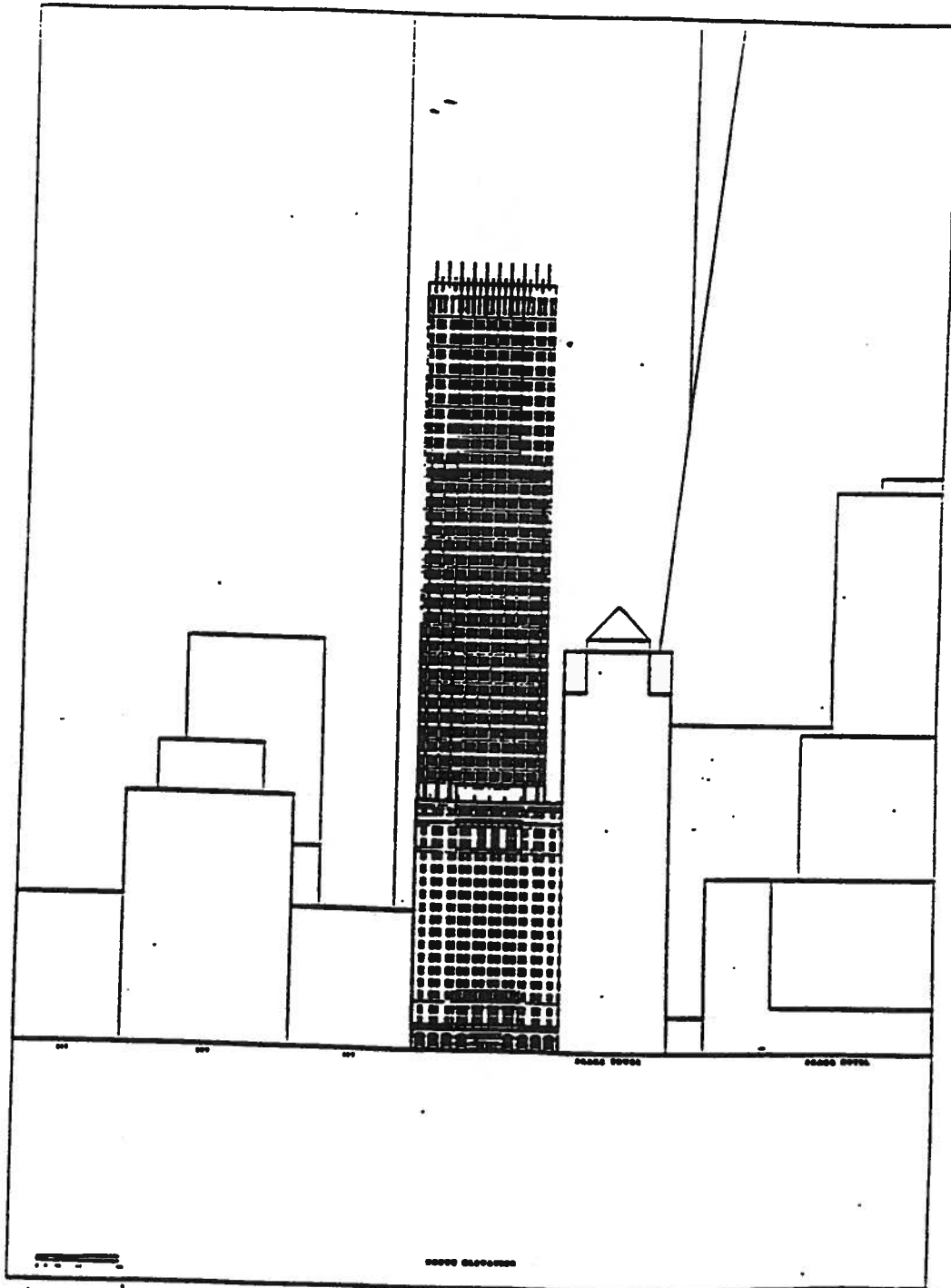
Site Plan.



SITE PLAN

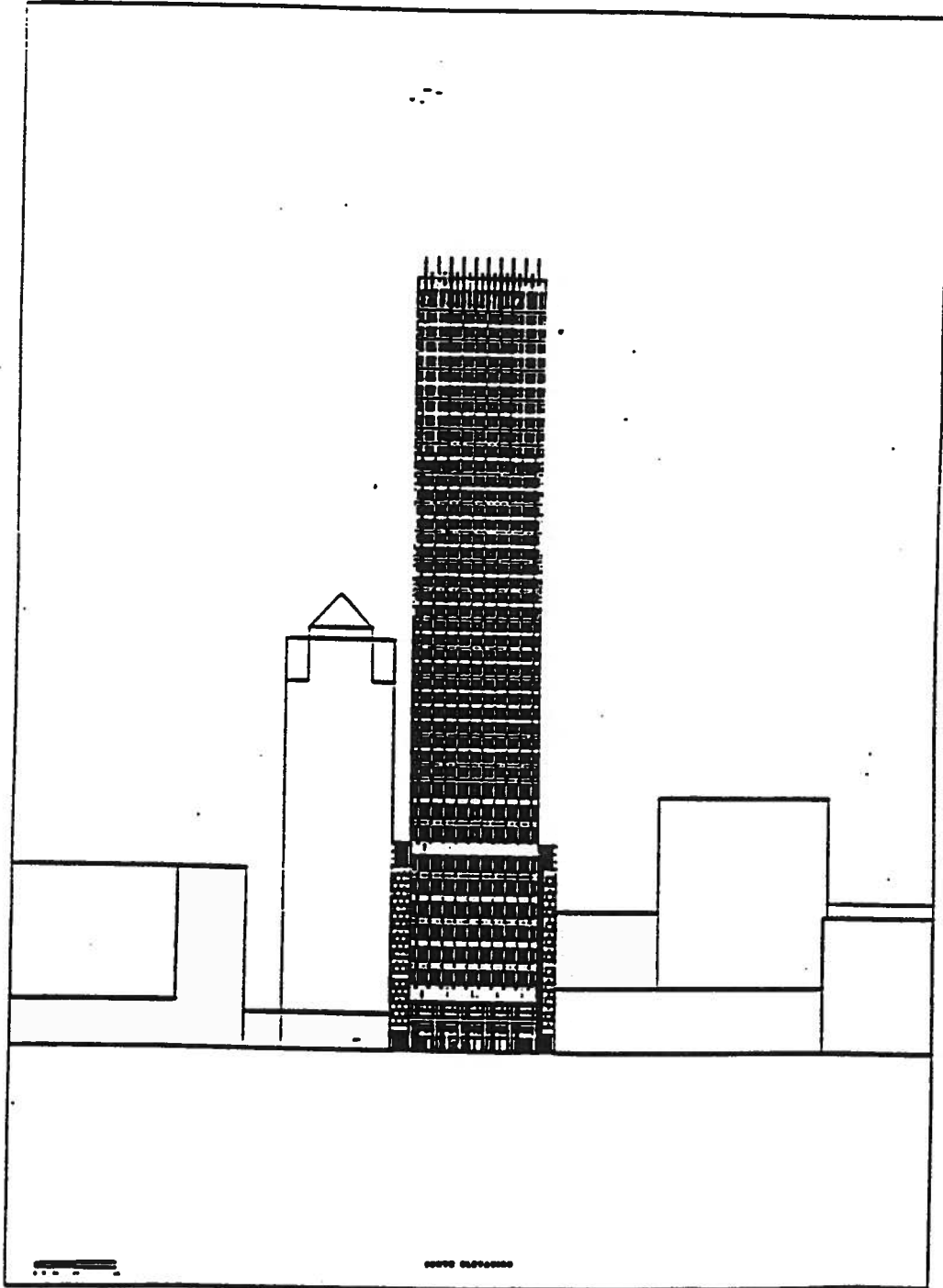
THE MAYFAIR
100 East Main Street
Chicago, Illinois
ARCHITECTURE & INTERIORS
CHICAGO, ILLINOIS
© 1993

Elevations.
(Page 1 of 4)



THE MAYFAIR
2200 N. LAKE SHORE DRIVE
CHICAGO, ILLINOIS
ARCHITECTS & INTERIORS
CHICAGO, ILLINOIS

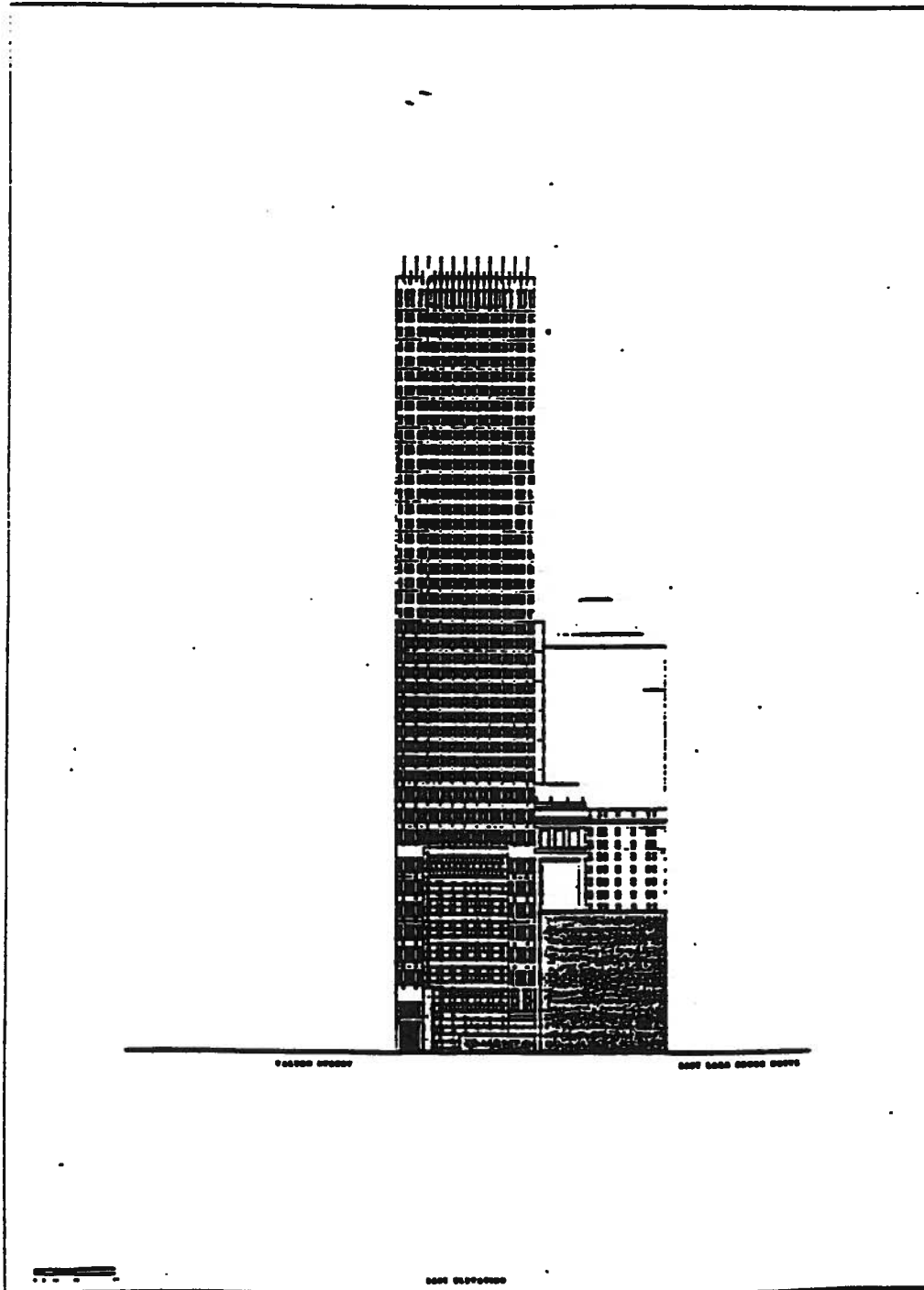
Elevations.
(Page 2 of 4)



THE MAYFAIR
OF THE GREAT BRITAIN
CHICAGO, ILLINOIS

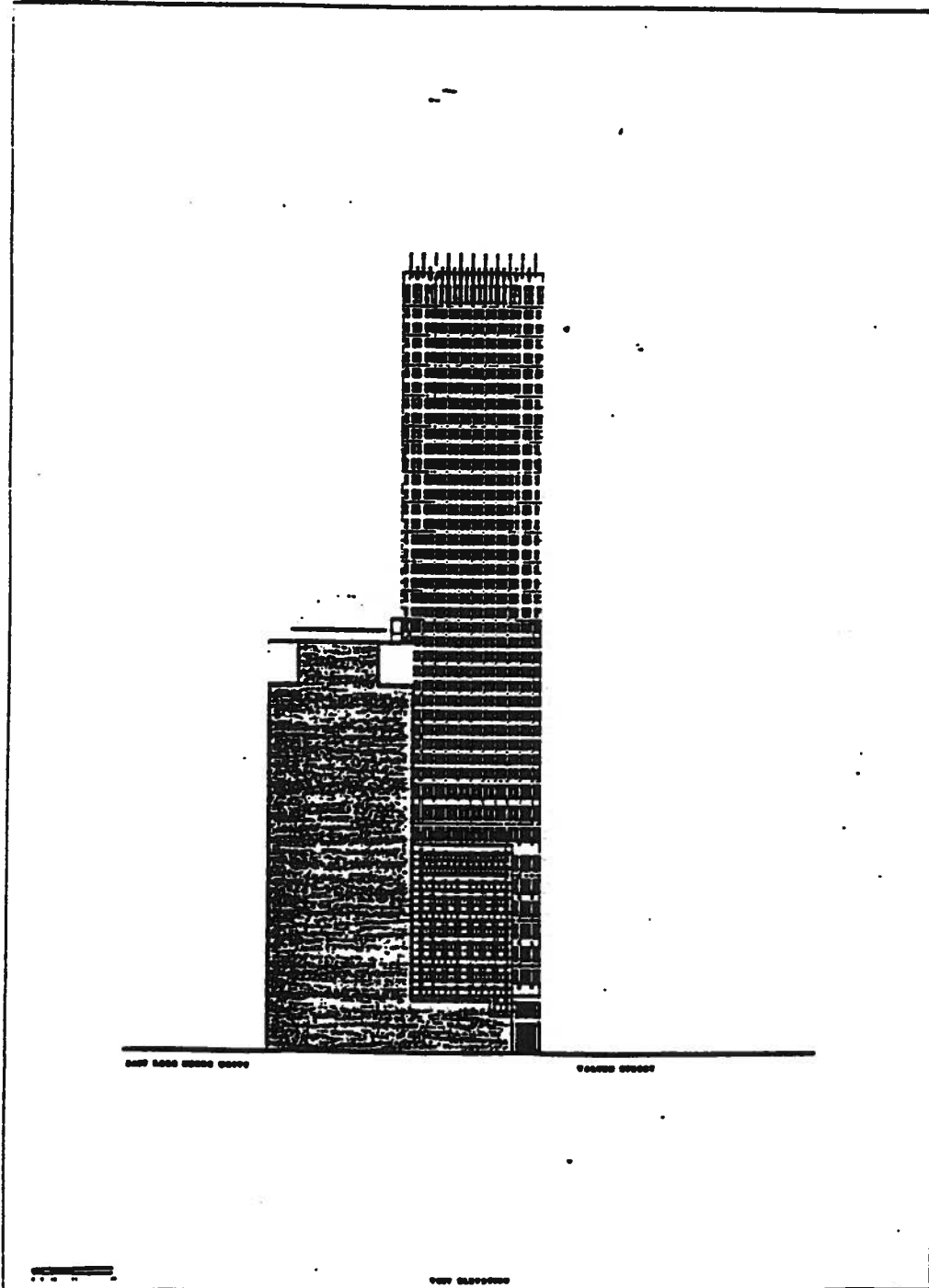
ARCHITECTS & ENGINEERS
CHICAGO, ILLINOIS

Elevations.
(Page 3 of 4)



THE MAYFAIR
40 East Lake Street
Chicago, Illinois
ARCHITECTS: H. H. HERRING & ASSOCIATES
CHICAGO, ILLINOIS

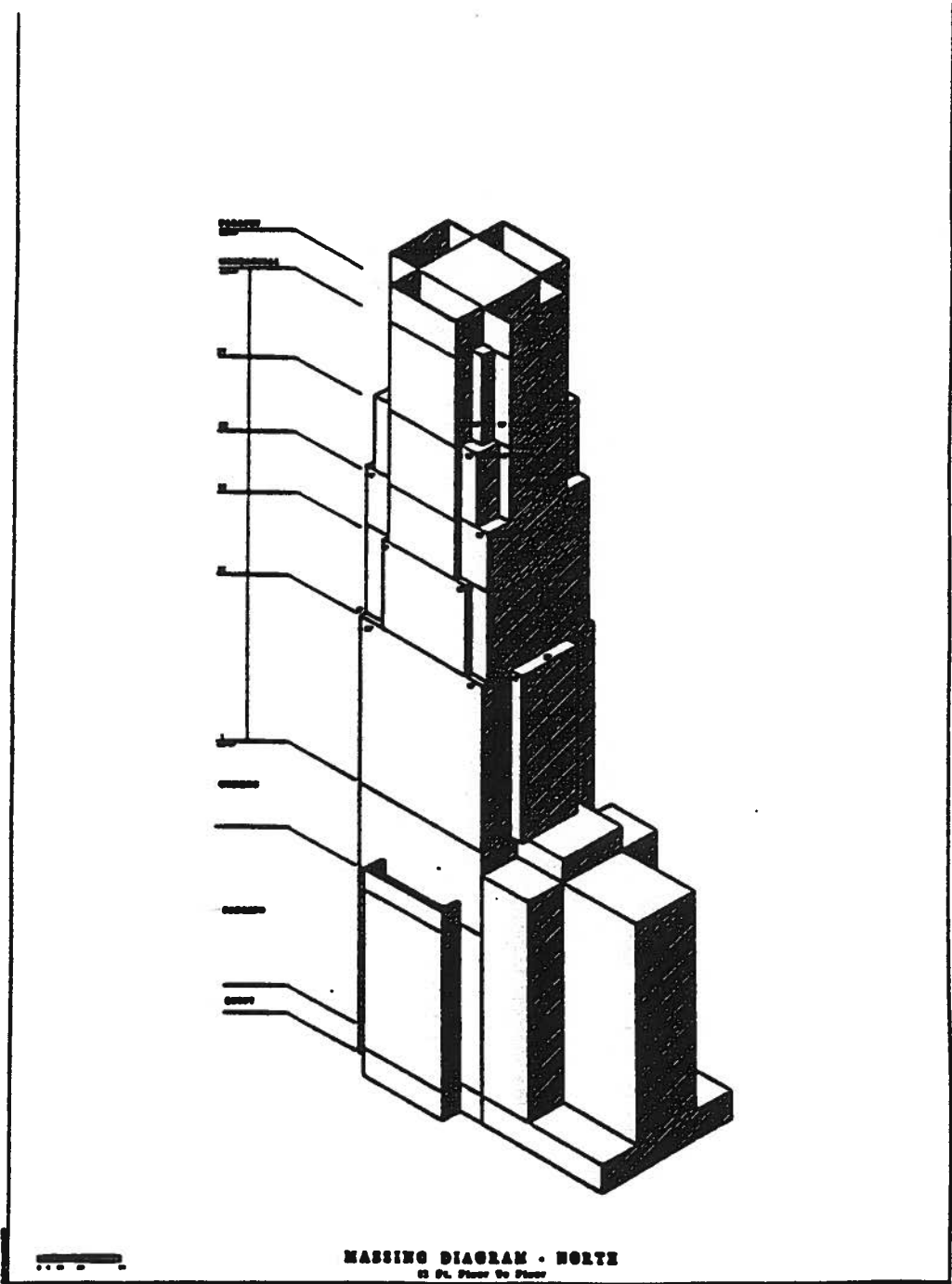
Elevations.
(Page 4 of 4)



THE MAYFAIR

100 East Lake Street
Chicago, Illinois
Architects & Engineers
Chicago, Illinois

Massing Diagram -- North.



MASSING DIAGRAM - NORTH
1/2" = 1' Floor To Floor

THE MAYFAIR
40 West Lake Street
Chicago, Illinois
ARCHITECTS & ENGINEERS
CHICAGO, ILLINOIS
IN CONSULT 1993